IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.977 OF 2006

IN

APPEAL FROM ORDER NO.813 OF 1999

Dharmayya Arjun Bhoga .. Applicant

versus

Husainsab Kasimsab Shaikh .. Respondent

...

Mr. S.J. Ghogre for appellant

Mr. Manojkumar Upadhayay for respondent.

CORAM : D.G. KARNIK, J

DATED : 8th November 2006

P.C.:

1. Heard learned counsel for the applicant and the respondent.

2. No affidavit in reply has been filed though time was granted. Hence averments made in the application are deemed to be admitted. For the reasons stated in paragraph no.3 of the application, civil application is allowed in terms of prayer clause (a).

(D.G. KARNIK, J)